

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF NEW YORK

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Chapter 13

In Re:

Elfreda Malcolm a/k/a
Elfreda Malcolm Nixon a/k/a
Elfreda Nixon a/k/a
Elfreda M. Gordon a/k/a
Elfreda M. Gordon Malcolm

Case No.: 15-43763-cec

Debtor(s)

CHAPTER 13 PLAN

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1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee, and the Debtor(s) shall pay to the Trustee, inclusive of Trustee fees, for a total of thirty-six (36) months, the sum of:

\$ 500.00 commencing **September, 2015** through and including **August, 2018** for a period of thirty-six (36) months;

2. From the payments so received, the Trustee shall make disbursements as follows:

a) Full payment in deferred cash payments of all claims entitled to priority under 11 U.S.C. §507:

Law Office of Vincent Cuocci, P.C. - \$2,400.00 (Legal Services)

b) Holders of allowed secured claims shall retain the liens securing such claims and shall be paid as follows:

**UNLESS OTHERWISE SPECIFIED, ALL POST-PETITION PAYMENTS TO BE MADE OUTSIDE THE PLAN BY THE DEBTORS
(INCLUDING BUT NOT LIMITED TO MORTGAGE PAYMENTS, VEHICLE PAYMENTS, REAL ESTATE TAXES AND INCOME TAXES)**

(i) With respect to the Real Property located at 165-11 108th Avenue, Jamaica, NY 11433 , Central Mortgage Company (1st Mortgagee - loan ending 9771) LOSS MITIGATION IS HEREBY REQUESTED.

(ii) With respect to the Real Property located at 165-11 108th Avenue, Jamaica, NY 11433 , Greentree Servicing (2nd Mortgagee - loan ending 5580), this lien is fully unsecured and shall be the subject of a Pond motion, and be paid \$0.00 over the life of the plan insofar as the debt obligation was already discharged in the Debtor's prior Chapter 7 bankruptcy case.

c) Subsequently and/or concurrently with distribution to secured creditors, dividends to **unsecured creditors** whose claims are duly allowed as follows: **PRO RATA distribution to all timely filed proofs of claim of not less than 100%.**

3. All lease agreements are hereby assumed, unless specifically rejected as follows: **None rejected.**

4. While this case is pending, if unsecured creditors are paid pursuant to paragraph 2(c), less than one hundred percent (100%), the Debtor(s) shall provide the Trustee with signed copies of filed federal and state tax returns for each year no later than April 15th of the year following the tax period. Indicated tax refunds are to be paid to the Trustee upon receipt in addition to any payments set forth above; however, no later than May 15th of the year in which the tax returns are filed.

5. Title to the Debtor(s) property shall revert in the Debtor(s) upon completion of the plan or dismissal of the case, unless otherwise provided in the Order confirming this plan. Throughout the term of this plan, the Debtor(s) will not incur post-petition debt over \$1,500.00 without written consent of the Trustee or the Court.

/s/ Elfreda Malcolm
Elfreda Malcolm, Debtor

Dated: August 26, 2015

LAW OFFICE OF VINCENT CUOCCI, P.C.

By: /s/ Vincent Cuocci
Vincent Cuocci, Esq. - Debtor's Attorney